

(Aug. 6, 1956, ch. 987, § 1, 70 Stat. 1065.)

§ 460f. Notice and method of sale; price; conveyance

(a) Public notice

Public notice of the availability of the lands for sale for cottage site development and use shall be given in such manner as the Secretary of the Army may by regulation prescribe, including publication within the vicinity of the lands available for sale: *Provided, however*, That notice to lessees of cottage sites shall be given in writing within 90 days after publication of such regulations in the Federal Register and the notice shall state the appraised fair market value of the land available for sale to such lessee.

(b) Method of sale

The sale of lands for cottage site development and use shall be accomplished by any method which the Secretary of the Army determines to be in the public interest, including public auction, seal bids, and by negotiation with lessees and with others after competitive bidding.

(c) Price

The price to be paid for any lands sold for cottage site development and use pursuant to the provisions of this subchapter shall be not less than the appraised fair market value thereof as determined by the Secretary of the Army.

(d) Conveyance

The Secretary of the Army is authorized to convey by quitclaim deed all the right, title, and interest of the United States in and to the lands sold for cottage site development and use pursuant to the provisions of this subchapter, the conveyance to be on condition that the property conveyed shall be used for cottage site purposes only, and in the event of use for any other purposes, title to the land and improvements shall revert to and vest in the United States; and subject to such other conditions, reservations, and restrictions as the Secretary may determine to be necessary for the management and operation of the reservoir, or for the protection of lessees or owners of cottage sites within the area.

(Aug. 6, 1956, ch. 987, § 2, 70 Stat. 1065.)

§ 460g. Transfer to State, etc., for roadway purposes

The Secretary of the Army may, by quitclaim deed, deed of easement, or otherwise, transfer to the State in which lands sold for cottage site development and use pursuant to this subchapter are located, or to any political subdivision thereof, or to any organization consisting of not less than 50 per centum of the owners of cottage sites in the area, without monetary consideration, any lands being used or to be used for roads primarily to serve the cottage site areas: *Provided, however*, That the deed or other instrument transferring such land shall specifically provide for appropriate use and maintenance of the property by the State, political subdivision, or organization, and any deed conveying title to such lands for roadway purposes shall contain the condition and limitation that in the event the land conveyed shall fail or cease to be used

for roadway purposes the same shall immediately revert to and vest in the United States. (Aug. 6, 1956, ch. 987, § 3, 70 Stat. 1065.)

§ 460h. Costs of surveys or relocation of boundaries

The costs of any surveys or the relocation of boundary markers necessary as an incident of a conveyance or other property transfer under this subchapter shall be borne by the grantee.

(Aug. 6, 1956, ch. 987, § 4, 70 Stat. 1066.)

§ 460i. Delegation of powers; regulations

The Secretary of the Army may delegate any authority conferred upon him by this subchapter to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

(Aug. 6, 1956, ch. 987, § 5, 70 Stat. 1066.)

§ 460j. Disposition of proceeds

The proceeds from any sale made under this subchapter shall be covered into the Treasury of the United States as miscellaneous receipts.

(Aug. 6, 1956, ch. 987, § 6, 70 Stat. 1066.)

SUBCHAPTER LXVIII—NATIONAL
CONSERVATION RECREATIONAL AREAS

§ 460k. Public recreation use of fish and wildlife conservation areas; compatibility with conservation purposes; appropriate incidental or secondary use; consistency with other Federal operations and primary objectives of particular areas; curtailment; forms of recreation not directly related to primary purposes of individual areas; repeal or amendment of provisions for particular areas

In recognition of mounting public demands for recreational opportunities on areas within the National Wildlife Refuge System, national fish hatcheries, and other conservation areas administered by the Secretary of the Interior for fish and wildlife purposes; and in recognition also of the resulting imperative need, if such recreational opportunities are provided, to assure that any present or future recreational use will be compatible with, and will not prevent accomplishment of, the primary purposes for which the said conservation areas were acquired or established, the Secretary of the Interior is authorized, as an appropriate incidental or secondary use, to administer such areas or parts thereof for public recreation when in his judgment public recreation can be an appropriate incidental or secondary use: *Provided*, That such public recreation use shall be permitted only to the extent that is practicable and not inconsistent with other previously authorized Federal operations or with the primary objectives for which each particular area is established: *Provided further*, That in order to insure accomplishment of such primary objectives, the Secretary, after consideration of all authorized uses, purposes, and other pertinent factors relating to individual areas, shall curtail public recreation use generally or certain types of public recreation

use within individual areas or in portions thereof whenever he considers such action to be necessary: *And provided further*, That none of the aforesaid refuges, hatcheries, game ranges, and other conservation areas shall be used during any fiscal year for those forms of recreation that are not directly related to the primary purposes and functions of the individual areas until the Secretary shall have determined—

(a) that such recreational use will not interfere with the primary purposes for which the areas were established, and

(b) that funds are available for the development, operation, and maintenance of these permitted forms of recreation. This section shall not be construed to repeal or amend previous enactments relating to particular areas.

(Pub. L. 87-714, §1, Sept. 28, 1962, 76 Stat. 653; Pub. L. 89-669, §9, Oct. 15, 1966, 80 Stat. 930.)

AMENDMENTS

1966—Pub. L. 89-669 substituted “areas within the National Wildlife Refuge System” for “national wildlife refuges, game ranges” in introductory text.

SHORT TITLE

Pub. L. 87-714, which enacted this subchapter, is popularly known as the “Refuge Recreation Act”.

§ 460k-1. Acquisition of lands for recreational development; funds

The Secretary is authorized to acquire areas of land, or interests therein, which are suitable for—

(1) incidental fish and wildlife-oriented recreational development,

(2) the protection of natural resources,

(3) the conservation of endangered species or threatened species listed by the Secretary pursuant to section 1533 of this title, or

(4) carrying out two or more of the purposes set forth in paragraphs (1) through (3) of this section, and are adjacent to, or within, the said conservation areas, except that the acquisition of any land or interest therein pursuant to this section shall be accomplished only with such funds as may be appropriated therefor by the Congress or donated for such purposes, but such property shall not be acquired with funds obtained from the sale of Federal migratory bird hunting stamps.

Lands acquired pursuant to this section shall become a part of the particular conservation area to which they are adjacent.

(Pub. L. 87-714, §2, Sept. 28, 1962, 76 Stat. 653; Pub. L. 92-534, Oct. 23, 1972, 86 Stat. 1063; Pub. L. 93-205, §13(d), Dec. 28, 1973, 87 Stat. 902.)

AMENDMENTS

1973—Pub. L. 93-205 inserted references to the acquisition of interest in land the conservation of endangered species or threatened species listed by the Secretary pursuant to section 1533 of this title.

1972—Pub. L. 92-534 substituted provisions authorizing the Secretary to acquire lands suitable for fish and wildlife oriented recreational development, or for the protection of natural resources and adjacent to conservation areas, for provisions authorizing the Secretary to acquire limited areas of land for recreational development adjacent to conservation areas in existence or approved by the Migratory Bird Conservation Commission as of September 28, 1962.

EFFECTIVE DATE OF 1973 AMENDMENT

Amendment by Pub. L. 93-205 effective Dec. 28, 1973, see section 16 of Pub. L. 93-205, set out as a note under section 1531 of this title.

§ 460k-2. Cooperation with agencies, organizations and individuals; acceptance of donations; restrictive covenants

In furtherance of the purposes of this subchapter, the Secretary is authorized to cooperate with public and private agencies, organizations, and individuals, and he may accept and use, without further authorization, donations of funds and real and personal property. Such acceptance may be accomplished under the terms and conditions of restrictive covenants imposed by donors when such covenants are deemed by the Secretary to be compatible with the purposes of the wildlife refuges, game ranges, fish hatcheries, and other fish and wildlife conservation areas.

(Pub. L. 87-714, §3, Sept. 28, 1962, 76 Stat. 653.)

§ 460k-3. Charges and fees; permits; regulations; penalties; enforcement

The Secretary may establish reasonable charges and fees and issue permits for public use of national wildlife refuges, game ranges, national fish hatcheries, and other conservation areas administered by the Department of the Interior for fish and wildlife purposes. The Secretary may issue regulations to carry out the purposes of this subchapter. A violation of such regulations shall be a misdemeanor with maximum penalties of imprisonment for not more than six months, or a fine of not more than \$500, or both. The provisions of this subchapter and any such regulation shall be enforced by any officer or employee of the United States Fish and Wildlife Service designated by the Secretary of the Interior.

(Pub. L. 87-714, §4, Sept. 28, 1962, 76 Stat. 654; Pub. L. 95-616, §3(e), Nov. 8, 1978, 92 Stat. 3111; Pub. L. 98-473, title II, §221, Oct. 12, 1984, 98 Stat. 2028.)

AMENDMENTS

1984—Pub. L. 98-473 substituted “misdemeanor” for “petty offense (18 U.S.C. 1)”.

1978—Pub. L. 95-616 provided for designation of enforcement personnel.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Nov. 1, 1987, and applicable only to offenses committed after the taking effect of such amendment, see section 235(a)(1) of Pub. L. 98-473, set out as an Effective Date note under section 3551 of Title 18, Crimes and Criminal Procedure.

§ 460k-4. Authorization of appropriations

There is authorized to be appropriated such funds as may be necessary to carry out the purposes of this subchapter, including the construction and maintenance of public recreational facilities.

(Pub. L. 87-714, §5, Sept. 28, 1962, 76 Stat. 654.)

SUBCHAPTER LXIX—OUTDOOR
RECREATION PROGRAMS

PART A—COORDINATION OF PROGRAMS

§ 460I. Congressional findings and declaration of policy

The Congress finds and declares it to be desirable that all American people of present and future generations be assured adequate outdoor recreation resources, and that it is desirable for all levels of government and private interests to take prompt and coordinated action to the extent practicable without diminishing or affecting their respective powers and functions to conserve, develop, and utilize such resources for the benefit and enjoyment of the American people.

(Pub. L. 88–29, §1, May 28, 1963, 77 Stat. 49.)

ENVIRONMENTAL QUALITY COUNCIL

For functions of the Environmental Quality Council concerning outdoor recreation, see sections 102 and 103 of Ex. Ord. No. 11472, May 29, 1969, 34 F.R. 8693, set out as a note under section 4321 of Title 42, The Public Health and Welfare.

A 21ST CENTURY STRATEGY FOR AMERICA'S GREAT
OUTDOORS

Memorandum of President of the United States, Apr. 16, 2010, 75 F.R. 20767, provided:

Memorandum for the Secretary of the Interior[,] the Secretary of Agriculture[,] the Administrator of the Environmental Protection Agency[, and] the Chair of the Council on Environmental Quality

Americans are blessed with a vast and varied natural heritage. From mountains to deserts and from sea to shining sea, America's great outdoors have shaped the rugged independence and sense of community that define the American spirit. Our working landscapes, cultural sites, parks, coasts, wild lands, rivers, and streams are gifts that we have inherited from previous generations. They are the places that offer us refuge from daily demands, renew our spirits, and enhance our fondest memories, whether they are fishing with a grandchild in a favorite spot, hiking a trail with a friend, or enjoying a family picnic in a neighborhood park. They also are our farms, ranches, and forests—the working lands that have fed and sustained us for generations. Americans take pride in these places, and share a responsibility to preserve them for our children and grandchildren.

Today, however, we are losing touch with too many of the places and proud traditions that have helped to make America special. Farms, ranches, forests, and other valuable natural resources are disappearing at an alarming rate. Families are spending less time together enjoying their natural surroundings. Despite our conservation efforts, too many of our fields are becoming fragmented, too many of our rivers and streams are becoming polluted, and we are losing our connection to the parks, wild places, and open spaces we grew up with and cherish. Children, especially, are spending less time outside running and playing, fishing and hunting, and connecting to the outdoors just down the street or outside of town.

Across America, communities are uniting to protect the places they love, and developing new approaches to saving and enjoying the outdoors. They are bringing together farmers and ranchers, land trusts, recreation and conservation groups, sportsmen, community park groups, governments and industry, and people from all over the country to develop new partnerships and innovative programs to protect and restore our outdoors legacy. However, these efforts are often scattered and sometimes insufficient. The Federal Government, the Nation's largest land manager, has a responsibility to

engage with these partners to help develop a conservation agenda worthy of the 21st Century. We must look to the private sector and nonprofit organizations, as well as towns, cities, and States, and the people who live and work in them, to identify the places that mean the most to Americans, and leverage the support of the Federal Government to help these community-driven efforts to succeed. Through these partnerships, we will work to connect these outdoor spaces to each other, and to reconnect Americans to them.

For these reasons, it is hereby ordered as follows:

SECTION 1. *Establishment.*

(a) There is established the America's Great Outdoors Initiative (Initiative), to be led by the Secretaries of the Interior and Agriculture, the Administrator of the Environmental Protection Agency, and the Chair of the Council on Environmental Quality (CEQ) and implemented in coordination with the agencies listed in section 2(b) of this memorandum. The Initiative may include the heads of other executive branch departments, agencies, and offices (agencies) as the President may, from time to time, designate.

(b) The goals of the Initiative shall be to:

(i) Reconnect Americans, especially children, to America's rivers and waterways, landscapes of national significance, ranches, farms and forests, great parks, and coasts and beaches by exploring a variety of efforts, including:

(A) promoting community-based recreation and conservation, including local parks, greenways, beaches, and waterways;

(B) advancing job and volunteer opportunities related to conservation and outdoor recreation; and

(C) supporting existing programs and projects that educate and engage Americans in our history, culture, and natural bounty.

(ii) Build upon State, local, private, and tribal priorities for the conservation of land, water, wildlife, historic, and cultural resources, creating corridors and connectivity across these outdoor spaces, and for enhancing neighborhood parks; and determine how the Federal Government can best advance those priorities through public private partnerships and locally supported conservation strategies.

(iii) Use science-based management practices to restore and protect our lands and waters for future generations.

SEC. 2. *Functions.* The functions of the Initiative shall include:

(a) *Outreach.* The Initiative shall conduct listening and learning sessions around the country where land and waters are being conserved and community parks are being established in innovative ways. These sessions should engage the full range of interested groups, including tribal leaders, farmers and ranchers, sportsmen, community park groups, foresters, youth groups, businesspeople, educators, State and local governments, and recreation and conservation groups. Special attention should be given to bringing young Americans into the conversation. These listening sessions will inform the reports required in subsection (c) of this section.

(b) *Interagency Coordination.* The following agencies shall work with the Initiative to identify existing resources and align policies and programs to achieve its goals:

(i) the Department of Defense;

(ii) the Department of Commerce;

(iii) the Department of Housing and Urban Development;

(iv) the Department of Health and Human Services;

(v) the Department of Labor;

(vi) the Department of Transportation;

(vii) the Department of Education; and

(viii) the Office of Management and Budget (OMB).

(c) *Reports.* The Initiative shall submit, through the Chair of the CEQ, the following reports to the President:

(i) Report on America's Great Outdoors. By November 15, 2010, the Initiative shall submit a report that includes the following: